

REMARKS

Receipt of the Office Action of October 27, 2009 is gratefully acknowledged.

Claims 6 - 10 have been examined. These have been rejected as follows: claims 6 and 8 - 10 under 35 USC 102(a) by Nixon et al; and claim 7 under 35 USC 103(a) over Nixon et al in view of Sharpe, Jr. et al.

After carefully considering the noted rejections and all of the references cited of interest, applicant is submitting the above amendment to the claims. These amendments were introduced into the prosecution of a corresponding European application. The European examiner considers these claims to now be allowable.

Claim 6 has been amended to add an additional feature. This feature is disclosed on page 5, last sentence to page 6, lines 1-3 of the specification. New claims 11 and 12 have been added. The corresponding disclosure of claim 11 can be found on page 6, lines 3-5. The disclosure of claim 12 can be found on page 5, paragraph 3.

Nixon et al refers to a process control system using a data collection and distribution system and an asset utilization suite to collect data or information pertaining to the assets of a process plant from various sources or functional areas of the plant including, for example, the process control functional areas, the maintenance functional areas and the process performance monitoring functional areas. This data and information is manipulated in a coordinated manner by the data collection and distribution system and is redistributed to other applications where it is used to perform overall better or more optimal control, maintenance and business activities. Information or data may be collected by maintenance functions pertaining to the health, variability, performance or utilization of a device, loop, unit, area, etc. and this information may then be sent to and displayed to a process operator or maintenance person to inform that person of a current or future problem. A user interface is provided that enables users to access and manipulate the expert engine to optimize plant operation or cause optimization of plant operation, to get information about the operation of the plant, etc.

Furthermore, applications, such as work order generation applications may automatically generate work orders, parts or supplies orders, etc. based on events occurring within the plant. Nixon et al. does not refer to a software driver (Device Type Manager) of the field device, and consequently Nixon et al does not show the features of the now amended claims.

Sharpe, Jr. et al describes a field device management system including an interface which provides communication between a software application implemented on the system and a set of smart field devices coupled to the system. The interface accesses information from and/or writes information to the smart field devices, a database and device descriptions associated with the smart field devices to provide a consistent communication connection with such devices, database and device descriptions, irrespective of the types of smart field devices connected to the system. The interface is based on a predefined hierarchy of categories of information defining the device data associated with the smart field devices, and is implemented using an OLE object for each of the predefined categories of information. In particular, each OLE object stores device data associated with one of the predefined categories of information and includes instructions for communicating with one of the smart field devices, one of the device descriptions and/or the database to effect a command related to the stored device data. Sharpe, Jr. et al is also not appropriate to lead a skilled person to the present invention. Sharpe, Jr. et al refers to device descriptions but not to software drivers of the field device.

The noted differences are now clearly recited in the amended claims, and as such should now be allowed.

The specification has been amended to describe the function-block shell as noted by the examiner.

In view of the foregoing, reconsideration and re-examination are respectfully requested and claims 6 - 12 found allowable.

Date: January 27, 2010

Respectfully submitted,
BACON & THOMAS, PLLC

A handwritten signature in black ink, appearing to read 'Felix J. D'Ambrosio', written over the printed name.

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